

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVID E. SIDELINGER,	:	
Plaintiff	:	
	:	JUDGE MAURICE B. COHILL, JR.
vs.	:	
	:	Civil Action 02-62 E
HARBOR CREEK SCHOOL DISTRICT,	:	
Defendant	:	

PETITION TO WITHDRAW
AS COUNSEL FOR THE PLAINTIFF

TO THE HONORABLE COURT:

1. The Petitioner is Paul J. Susko, who is an attorney in the Commonwealth of Pennsylvania with his office at 135 East 6th Street, Erie, Pennsylvania, 16501.
2. Petitioner has been counsel of record for the Plaintiff, David E. Sidelinger, since June 2004 in the above-captioned civil action.
3. Petitioner represented the Plaintiff at trial in this matter on March 20, 2006.
4. Since the date of Plaintiff's bench trial, Plaintiff has failed to respond to correspondence sent to him by Petitioner.
5. On repeated occasions, Plaintiff has failed to return Petitioner's telephone calls and has been steadfast in refusing to communicate with Petitioner and to reply to mail sent to Plaintiff.
6. Petitioner promptly notified Plaintiff by mail that the Defendant had filed a request for a Bill of Costs against Plaintiff in the amount of \$6,542.30.
7. Plaintiff refuses to communicate with Petitioner, despite Petitioner's

written requests to him to respond to the letters and copies of correspondence received from the Court in this matter sent to Plaintiff at his residence.

8. Additionally, Plaintiff owes Petitioner a large sum for legal services rendered to him by Petitioner in this matter, despite repeated demands for said payment.

9. Petitioner believes that the relationship between him and Plaintiff is irretrievably broken down.

10. Plaintiff refuses to discuss the issue of the Defendant's filing of the Bill of Costs in this matter.

11. By letter dated January 3, 2007, Robert V. Barth, Jr., Clerk of Court, advised the parties that Plaintiff has until January 18, 2007 to file any objections to the Bill of Costs filed by Defendant in amount of \$6,542.30.

12. Petitioner does not believe that he can continue to represent the Plaintiff's interests in this matter given the Plaintiff's refusal to communicate with Petitioner as counsel of record.

WHEREFORE, the undersigned counsel respectfully requests that this Honorable Court allow Petitioner, Paul J. Susko, Esq., to withdraw as counsel in this matter and grant the Plaintiff sufficient time to retain substitute counsel should he wish to do so.

Respectfully submitted,

s/Paul J. Susko, Esq.
Paul J. Susko, Esq.
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135 East 6th Street
Erie, Pennsylvania 16501
Telephone: (814) 455-7612

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on the 4th day of January, 2007, a copy of the within document was served on the following persons in accordance with the applicable rules of court:

Mark J. Kuhar, Esq.
120 West 10th Street
Erie, Pennsylvania 16501

David E. Sidelinger
R. D. #2, Jenks Road
Corry, Pennsylvania 16407

Respectfully submitted,

s/ Paul J. Susko, Esq.
Paul J. Susko, Esq.